

Draft to Clerk:
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**MINUTES OF THE REGULAR MEETING
BOARD OF ZONING APPEALS
March 8, 2007 7:30 P.M.
CITY COUNCIL CHAMBERS, 10TH FLOOR CITY HALL**

I. ROLL CALL

The meeting was called to order by Chairman Burgess at 7:30 p.m. Chairman Burgess read the BZA introduction. Roll call was taken.

Present:

B. Burgess	E. Horne	M. Mayberry	G. Swix	B. McGrain
A. Frederick	G. Hilts			

Absent:

F. Lain

Staff:

S. Stachowiak

A. A quorum of at least five members was present, allowing voting action to be taken at the meeting.

II APPROVAL OF AGENDA

B. McGrain moved, seconded by A. Frederick to approve the agenda as printed.

On a voice vote, the motion carried 7-0.

III. HEARINGS/ACTION

A. BZA-3896.07, SW Corner of Porter & N. Pennsylvania Avenue

This is a variance request by the Ingham County Land Bank Fast Track Authority to construct a house on the vacant lot at the southwest corner of Porter Street and N. Pennsylvania Ave. that would have a front yard setback of 11 feet from the front lot line along Porter Street. Section 1250.07 of the Zoning Ordinance requires a minimum front yard setback of 20 feet. A variance of 9 feet to the front yard setback requirement is therefore, being requested. Staff recommended approval of the request on a finding that the variance would be consistent with the practical difficulty criteria of Section 1244.06 (c) and the impact criteria of Section 1244.06 (e), as detailed in the staff report for this application.

Eric Schertzing, Representing the Ingham County Land Bank, spoke in support of his request. He stated that the Land Bank has been working with the City to determine a design that would best fit with the surrounding neighborhood. He also said that the Land Bank has approximately 20 small parcels that have been identified for potential development.

Mr. Swix asked why they are building a new home instead of rehabilitating a red tagged home. He said that the real estate market is not very good right now for new home sales.

Mr. Schertzing stated that they are trying to do both. He said that they work with the city on improving red tagged homes as well as building new homes.

Mr. McGrain stated that he appreciates the work that the Land Bank is doing. He also said that he appreciates getting images of the proposed house. Mr. McGrain said that 2 sides of the house are devoid of windows.

Mr. Schertzing said that they can talk about putting in more windows.

Eric Hewitt, 901 E. Grand River Avenue, stated that is the representing the Northtown Neighborhood Association and they are supportive of the variance request. He said that they are excited about this project. Mr. Hewitt said that they are not fond of the 1-story homes that are often constructed by Habitat for Humanity. He is pleased to see that the Land Bank will be constructed a 2-story home that will fit in with the neighborhood and improve the housing market in Northtown.

Sandra Shelp, 1534 Massachusetts Avenue, spoke in support of the variance request. She said that she is also on the Northtown Neighborhood Association Board and is happy that the Land Bank is going to be constructing a 2-story home. Ms. Shelp said that she would prefer that the Land Bank take on the red tagged homes in the area but is still supportive of the project. She said that she would like to see more windows added on the south and west walls of the house.

Sue Eareckson, 1403 Indiana Avenue, stated that she is also on the Northtown Neighborhood Association Board and is very supportive of this request. Ms. Eareckson said that empty lots are not good for the area and she is pleased that the Land Bank will be building a new, affordable, owner-occupied home in Northtown.

Hikmath Alsaffar, 1101 S. Pennsylvania, stated that he lives directly north of the subject property. He expressed some concerns about the proposed construction.

Mr. Burgess asked if anyone else wished to address the Board. Seeing none, the Board moved into the Committee of the Whole.

Mr. McGrain asked how the property will be marketed.

Mr. Schertzing said that it will be marketed for \$85,900. He said that it will not be limited to low to moderate income families but that is likely what it will attract. Mr. Schertzing said that there will be a 20 year covenant on the land requiring owner occupancy.

Mr. Hilts stated that the Land Bank did a nice, quality job with the house at the corner of Cady and Pennsylvania.

Mr. Mayberry stated that he was concerned about the size of the house being proposed, but is happy to know that the neighborhood is supportive of the proposal.

Mr. Frederick stated that the practical difficulty is very clear. He said that the lot would be unbuildable without a setback variance and the applicant is requesting the minimum necessary to make this a buildable lot.

A. Frederick moved to approve BZA-3896.07, a variance of 9 feet to the front yard setback requirement to construct a single family home on the vacant lot at the southwest corner of Porter and N. Pennsylvania Avenue, on a finding that the variance would be consistent with the practical difficulty criteria of Section 1244.06 (c) and the impact criteria of Section 1244.06 (e), as detailed in the staff report for this application. Seconded by G. Hilts.

VOTE	YEA	NAY
Swix	X	
Mayberry	X	
Horne	X	
Hilts	X	
McGrain	X	
Frederick	X	
Burgess	X	

Motion carried, 7-0, BZA-3896.07, was approved.

B. BZA-3897.07, 309 N. Washington Square

This is a variance request by Lansing Community College to utilize a portion of the building at 309 N. Washington Square for classrooms. Section 1270.03(d)(1) of the Zoning Ordinance permits educational facilities in the "G-1" Business district, if the lot has frontage on a principal arterial. The subject property is zoned "G-1" Business district and has frontage on Washington Square and Ionia Street; both of which are classified as local roads. A variance to road frontage classification requirement is therefore, being requested. Staff recommended approval of the request on a finding that the variance would be consistent with the practical difficulty criteria of Section 1244.06 (c) and the impact criteria of Section 1244.06 (e), as detailed in the staff report for this application.

Eric Rosekrans & Catherine Fisher, Representing LCC, spoke in support of the request and stated that they did not have anything to add to what Ms. Stachowiak has already said but would be available for questions.

Mr. Burgess asked if anyone else wished to address the Board. Seeing none, the Board moved into the Committee of the Whole.

Mr. Frederick stated that it does not make sense to allow schools in neighborhoods and not in commercial areas. He said that this site would be perfect for LCC.

Ms. Stachowiak stated that only elementary and middle schools are allowed in residential neighborhoods.

Mr. Hilts stated that he would not want to see Washington Square become a principal arterial when it is opening to through traffic. He said that it should be kept to a pedestrian friendly level of traffic.

Mr. McGrain stated that variance clearly meets the intent of the Zoning Ordinance as described in the staff report. He stated that he could support the request.

The other board members expressed their support for this request as well.

B. McGrain moved to approve BZA-3897.07, a variance to the requirement for frontage on a principal arterial to allow the building at 309 N. Washington Square to be used for classrooms for Lansing

Community College, on a finding that the variance would be consistent with the practical difficulty criteria of Section 1244.06 (c) and the impact criteria of Section 1244.06 (e), as detailed in the staff report for this application. Seconded by G. Hilts.

VOTE	YEA	NAY
Swix	X	
Mayberry	X	
Horne	X	
Hilts	X	
McGrain	X	
Frederick	X	
Burgess	X	

Motion carried, 7-0, BZA-3897.07, was approved.

VI. OLD BUSINESS

- A. Rules of Procedure - No action
- B. BZA-3817.04, 1014 S. Pennsylvania Avenue - No action

VII. PUBLIC COMMENT - None

VIII. APPROVAL OF MINUTES

- A. Minutes of Regular Meeting held January 11, 2007

G. Swix moved, seconded by A. Frederick to approve the minutes of January 11, 2007, as printed. On a voice vote, the motion carried unanimously, 7-0.

IX. NEW BUSINESS - None

X. ADJOURNMENT AT 8:10 p.m.

Respectfully submitted,

Susan Stachowiak, Zoning Administrator